



The State of New Hampshire  
**Department of Environmental Services**



**Michael P. Nolin**  
Commissioner

November 9, 2004

**CERTIFIED MAIL**

**# 70001670000005858674**

**RETURN RECEIPT REQUESTED**

**NOTICE OF PAST VIOLATION**

Town of Salem  
33 Geremonty Drive  
Salem, NH 03079

Attn.: Rodney Bartlett, Director of Public Works

**Re: Town of Salem Public Works Department**  
**Salem, New Hampshire**  
**EPA ID # NHD982195430**

Dear Mr. Bartlett:

On August 6, 2004, the Department of Environmental Services, Waste Management Division ("DES") conducted an inspection of the Town of Salem Public Works Department ("Salem DPW"). The purpose of the inspection was to determine Salem DPW's compliance status relative to RSA 147-A and the New Hampshire Hazardous Waste Rules, Env-Wm 100-1100.

As a result of the inspection and review of the information provided to DES, the following deficiency was documented:

1. Env-Wm 807.06(b)(5) – Used Oil Management Standards

At the time of the inspection, DES confirmed that one (1) 275-gallon tank storing used oil on-site was not closed. A hinged-lid funnel placed in a bung of the tank was left open, and an attached filter crusher had a rubber drain hose emptying into a second open bung.

Env-Wm 807.06(b)(5) requires that tanks storing used oil be closed unless used oil is being actively added to, or actively removed from the tank.

DES requested that Salem DPW ensure that all containers and tanks storing used oil be closed unless actively adding used oil to, or actively removing used oil from the container or tank.

*A November 8, 2004 e-mail submitted from Mr. Rodney Bartlett, Director of Public Works, indicated that the used oil tank in question had been closed, and the drain hose from the filter crusher was now hard-plumbed.*

DES believes the deficiency identified during the inspection has been corrected and acknowledges receipt of a report describing the corrective measures taken by Salem DPW to achieve compliance. Accordingly, no further action in response to the listed deficiency is required. However, DES personnel may re-inspect your facility at a later date to determine whether the facility is maintaining full compliance with the applicable rules. Fines may also be pursued for any or all violations observed during this or subsequent inspections of the facility.

Enclosed you will find a copy of the completed Hazardous Waste Generator Inspection Report which documents the compliance status of your facility at the time of the inspection. This checklist may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules.

The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at

<http://des.nh.gov/hwcs/>

or by contacting the Public Information Center at (603) 271-2975.

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. I am requesting that the DES Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, we maintain a Hazardous Waste Assistance Hotline which is available for you to contact our knowledgeable staff of hazardous waste inspectors. Our hazardous waste staff is available to answer your questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets of specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policy or regulatory interpretation letters that may benefit your operation and networks with other state or federal agencies to answer your questions on a national level. The Hotline is available Monday through Friday, 8:00 A.M. to 4:00 P.M. toll free at (866) HAZWAST (in-state only) or at (603) 271-2942.

If you believe that the deficiency documented in this NOPV has been cited in error, or if you have any questions regarding this letter, please contact the lead inspector, Tim Prospert, or Tod

G. Leedberg, RCRA Compliance Supervisor, at 271-2942. Specific questions regarding water-related issues may be directed to Stergios Spanos, of DES's Water Division at 271-6637, and for air-related issues, please contact Pam Monroe of DES's Air Resources Division at 271-1370. Thank you for your continued cooperation.

Sincerely,

**COPY**

John J. Duclos, Supervisor  
Hazardous Waste Compliance Section  
Waste Management Division

Cc: DB/RCRA/NOPV/Archives  
Anthony P. Giunta, P.G., Director, Waste Management Division  
Gretchen R. Hamel, Esq., Administrator, DES Legal Unit

Email: JJD/SD/SS/PM

Enclosure: Inspection Modules